

REMARKS

Claims 1, 2, 4, 5-7, 9 and 11-15 are currently pending. Claims 5, 7, 12 and 14 are currently amended. The typographical errors in the specification, as identified in the Office Action, are corrected above. Reconsideration of the claims is respectfully requested in view of the following comments.

Objection to the Specification

The Office Action objected to the specification as failing to provide proper antecedent basis for the claimed subject matter for the “fixed side” in claim 1, line 4, and the “frame body” in claim 7, line 2. However, the specification provides the antecedent basis for the “frame body” and the “fixed side” in the Industrial Applicability section, for example, on page 22.

Claim Rejections - 35 U.S.C. §102

Claims 1, 4/1, 6/1, 7 and 11/7 are rejected under 35 U.S.C. §102(b) as being anticipated by Ozawa (JP 11-94455). However, it is submitted that Ozawa does not anticipate all the features recited in the present claimed invention.

For instance, Ozawa does not anticipate the claimed “second supporting member.” Ozawa discloses the case body 25 being attached to the partition 5 of the refrigerator 1 (see, paragraph 0029 and Fig. 1). The partition 5 is not the claimed “second supporting member,” but rather, could be the “fixed side” (claim 1) or “frame body” (claim 7). There is no claimed “second supporting member *fixed to* [a fixed side/frame body].” In other words, the partition 5,

for the sake of argument, could *be* the “fixed side”/ “frame body” – not the claimed “second supporting member.” Therefore, the present claimed invention distinguishes over Ozawa for at least the reason that Ozawa does not disclose the claimed “second supporting member which is fixed to [a fixed side/frame body].”

In addition, Ozawa does not disclose the claimed feature for “an elastic member which is arranged between said first supporting member and said second supporting member.” As can be seen in Fig. 6, the elastic member 26 is not “arranged between” a first supporting member and a second supporting member. The elastic member 26 is simply disposed between the suspending portions 27 (separate from the case body 25, and is described in paragraph 0048 to be formed in the lateral portions 25e of the case body 25) and the partition 5 (which is not a second supporting member, as explained above).

For at least these reasons, the present claimed invention patentably distinguishes over the prior art.

Claim Rejections - 35 U.S.C. §103

Claim 14 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ozawa in view of Sekerich (US 4077677). Claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ozawa (JP 11-94455) in view of Henson (US 4494802). These claims distinguish over the prior art for at least the reasons that their independent base claim 7 distinguishes over the prior art, as discussed above.

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Amendment under 37 C.F.R. §1.111

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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